



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

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VIRGINIA WASTE MANAGEMENT BOARD ENFORCEMENT ACTION - ORDER BY CONSENT ISSUED TO ADVANCED FINISHING SYSTEMS, INC. EPA ID No. VAD982363541

SECTION A: Purpose

This is a Consent Order issued under the authority of Va. Code § 10.1-1455, between the Virginia Waste Management Board, and Advanced Finishing Systems, Inc., regarding the Advanced Finishing Systems Facility in Hayes, Virginia, for the purpose of resolving certain violations of the Virginia Waste Management Act and the applicable regulations.

SECTION B: Definitions

Unless the context clearly indicates otherwise, the following words and terms have the meaning assigned to them below:

1. "AFS" means Advanced Finishing Systems, Inc. a corporation authorized to do business in Virginia and its affiliates, partners, and subsidiaries. AFS is a "person" within the meaning of Va. Code § 10.1-1400.
2. "Board" means the Virginia Waste Management Board, a permanent citizens' board of the Commonwealth of Virginia, as described in Va. Code §§ 10.1-1184 and -1401.
3. "CEI" means compliance evaluation inspection.
4. "CFR" means the Code of Federal Regulations, as incorporated into the Regulations.
5. "CHP" means chemical hygiene plan.
6. "CP" means contingency plan.

7. "Department" or "DEQ" means the Department of Environmental Quality, an agency of the Commonwealth of Virginia, as described in Va. Code § 10.1-1183.
8. "Director" means the Director of the Department of Environmental Quality, as described in Va. Code § 10.1-1185.
9. "EPA" means Environmental Protection Agency.
10. "Facility" or "Site" means the AFS Facility located at 2954 George Washington Memorial Highway in Hayes, Virginia.
11. "FCI" means focused compliance inspection.
12. "Generator" means person who is a hazardous waste generator, as defined by 40 CFR § 260.10.
13. "Hazardous Waste" means any solid waste meeting the definition and criteria provided in 40 CFR § 261.3.
14. "LDR" means land disposal restriction.
15. "LQG" means large quantity generator, a hazardous waste generator that generates 1000 kilograms (2200 pounds) or greater of hazardous waste in a calendar month and meets other restrictions. *See* 40 CFR § 262.34(a)-(b) and (g)-(l).
16. "Notice of Violation" or "NOV" means a type of Notice of Alleged Violation under Va. Code § 10.1-1455.
17. "Order" means this document, also known as a "Consent Order" or "Order by Consent."
18. "PRO" means the Piedmont Regional Office of DEQ, located in Glen Allen, Virginia.
19. "RCRA" means Resource Conservation and Recovery Act.
20. "Regulations" or "VHWMR" means the Virginia Hazardous Waste Management Regulations, 9 VAC 20-60-12 *et seq.* Sections 20-60-14, -124, -260 through -266, -268, -270, -273, and -279 of the VHWMR incorporate by reference corresponding parts and sections of the federal Code of Federal Regulations (CFR), with the effected date as stated in 9 VAC 20-60-18, and with independent requirements, changes, and exceptions as noted. In this Order, when reference is made to a part or section of the CFR, unless otherwise specified, it means that part or section of the CFR as incorporated by the corresponding section of the VHWMR. Citations to independent Virginia requirements are made directly to the VHWMR.
21. "SAA" means satellite accumulation area.
22. "Solid Waste" means any discarded material meeting the definition provided in 40 CFR § 261.2.

23. "SQG" means a small quantity generator, a hazardous waste generator that generates greater than 100 kilograms but less than 1000 kilograms of hazardous waste in a calendar month and meets other restrictions. *See* 40 CFR § 262.34(d)-(f).
24. "Va. Code" means the Code of Virginia (1950), as amended.
25. "VAC" means the Virginia Administrative Code.
26. "VDEM" means Virginia Department of Emergency Management.
27. "Virginia Waste Management Act" means Chapter 14 (§ 10.1-1400 *et seq.*) of Title 10.1 of the Va. Code. Article 4 (Va. Code §§ 10.1-1426 through 10.1-1429) of the Virginia Waste Management Act addresses Hazardous Waste Management.

SECTION C: Findings of Fact and Conclusions of Law

1. AFS leases and operates the Facility. At the Facility, AFS conducts a variety of metal finishing processes, specializing in anodizing, chromate conversion coating, electroplating, and black oxidizing. AFS also provides additional finishing services including (but not limited to) dry film lubrication, electropolishing, and powder coating as well as other specialty services such as, abrasion resistance, hardfacing, and paint adhesion. Operations at the Facility are subject to the Virginia Waste Management Act and the Regulations.
2. AFS submitted a RCRA Subtitle C Site Identification Form received November 2, 1987, which gave notice of regulated waste activity at the Facility as an SQG of hazardous waste. AFS was issued EPA ID No. VAD982363541 for the Facility. In a subsequent form received February 7, 2007, AFS gave notice as an LQG of hazardous waste.
3. AFS generates several solid waste streams both hazardous and non-hazardous as a result of operations; sand blast media (D006), used lacquer thinner (acetone)(F003), used degreaser methyl ethyl ketone (F005), spent plating bath rinse, water and clean out solutions and rinse water (D002, D006, D007, and D011), cyanide plating waste---spent solutions and solid residue (D006, D011, F007), solids residue from plating baths (D006, F006), electroplating bath filters (D006, D007), and aerosol cans (D001, D003, D035). This hazardous waste is accumulated in tanks and containers at the Facility after its generation.
4. On November 26, 2013, Department staff conducted a CEI at the Facility to evaluate AFS' compliance with the requirements of the Virginia Waste Management Act and the Regulations. Based on the inspections and follow-up information, Department staff made the following observations which are followed by legal citations:
 - a. There were two 2,500 gallon white polyethylene tanks used to accumulate hazardous waste. DEQ staff reviewed available hazardous waste manifests for the prior three years and noted that twice, specifically between August 14, 2012 and December 20, 2012 and December 20, 2012 and April 11, 2013, the time interval between off-site shipments of the hazardous waste accumulated in the tanks was greater than 90 days.

40CFR Part 262.34(b) states "Except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that: (1) The waste is placed...(ii) In tanks and the generator complies with the applicable requirements of subparts J, AA, BB, and CC of 40 CFR part 265 except §§265.197(c) and 265.200;..."

- b. AFS did not have available a written assessment or installation inspection record of the hazardous waste tanks. In addition, documentation provided after the inspection attesting to the structural integrity of the tanks did not contain the proper certification statement from a qualified professional engineer.

40 CFR Part 265.192(a) states: Owners or operators of new tank systems or components must ensure that the foundation, structural support, seams, connections, and pressure controls (if applicable) are adequately designed and that the tank system has sufficient structural strength, compatibility with the waste(s) to be stored or treated, and corrosion protection so that it will not collapse, rupture, or fail. The owner or operator must obtain a written assessment reviewed and certified by a qualified Professional Engineer in accordance with §270.11(d) of this chapter attesting that the system has sufficient structural integrity and is acceptable for the storing and treating of hazardous waste. This assessment must include the following information: (1) Design standard(s) according to which the tank(s) and ancillary equipment is or will be constructed. (2) Hazardous characteristics of the waste(s) to be handled.

40 CFR 265.192(b) states: The owner or operator of a new tank system must ensure that proper handling procedures are adhered to in order to prevent damage to the system during installation. Prior to covering, enclosing, or placing a new tank system or component in use, an independent, qualified installation inspector or a qualified Professional Engineer, either of whom is trained and experienced in the proper installation of tank systems, must inspect the system or component for the presence of any of the following items: (1) Weld breaks; (2) Punctures; (3) Scrapes of protective coatings; (4) Cracks; (5) Corrosion; (6) Other structural damage or inadequate construction or installation.

40 CFR 265.192(g) states: The owner or operator must obtain and keep on file at the Facility written statements by those persons required to certify the design of the tank system and supervise the installation of the tank system in accordance with the requirements of paragraphs (b) through (f) of this section to attest that the tank system was properly designed and installed and that repairs, pursuant to paragraphs (b) and (d) of this section were performed. These written statements must also include the certification statement as required in §270.11(d) of this chapter.

- c. The secondary containment system, in the external liner, was not operated in a manner to contain 100 percent of the capacity of the largest tank.

40CFR Part 265.193(e)(1)(i) states that secondary containment systems must be designed or operated to contain 100 percent of the capacity of the largest tank within its boundary.

- d. AFS failed to conduct daily inspections of the accumulation tanks each operating day.

40CFR Part 265.195(a) states that the owner or operator must inspect, where present, at least once each operating day, data gathered from monitoring and leak detection equipment (e.g., pressure or temperature gauges, monitoring wells) to ensure that the tank system is being operated according to its design. Part 265.195 (b) states except as noted under the paragraph (c) of this section, the owner or operator must inspect at least once each operating day:... Part 265.195 (c) states owners or operators of tank systems that use leak detection equipment to alert facility personnel to leaks can use an alternate inspection schedule.

- e. AFS failed to maintain adequate aisle space. There were numerous objects including process tanks and other equipment situated in and around the hazardous waste accumulation tanks. In addition, numerous objects including pallets, boxes, carts and other equipment were situated in and around the 90-day hazardous waste accumulation container. Around the tank system, electrical cords and hoses were tangled and spread across the floor. In addition, access to an eye wash station and fire extinguisher was obstructed.

40 CFR § 265.35 as referenced by §262.34(a) states the owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, *unless* aisle space is not needed for any of these purposes.

- f. The SAA was not located at or near the point of generation and under the control of the operator generating the waste. DEQ staff observed a 55-gallon steel drum labeled as "Hazardous Waste" located in the paint room. According to AFS, the drum is managed as a hazardous waste satellite accumulation area (SAA) for ignitable liquids, specifically spent solvent generated by operators in the process room from cleaning metal parts.

40CFR§262.34(c)(1) states a generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste listed in §261.31 or §261.33(e) in containers at or near any point of generation where wastes initially accumulate which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with paragraph (a) or (d) of this section provided he... (ii) Marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

- g. The Facility did not have signed copies from the Designated Facility for five hazardous waste manifests (Nos. 004621111 FLE; 004621106 FLE; 004612558 FLE; 004612556 FLE; 004612555 FLE). DEQ staff contacted the Designated Facility and obtained copies of these hazardous waste manifests which indicated the waste had been received at the Designated Facility within 35 days.

40CFR§262.23(a) states the generator must: (1) Sign the manifest certification by hand; (2) Obtain the handwritten signature of the initial transporter and date of acceptance on the manifest; and (3) retain one copy in accordance with 40 CFR 262.40(a).

§262.40(a) states a generator must keep a copy of each manifest signed in accordance with §262.23(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

- h. The Facility did not have LDR notifications available for review for the "Waste Corrosive Liquid Acid," coded as D002, D006, D007, D008, D011 sent to Vickery Environmental (EPA ID No. OHD020273819). The hazardous waste sent to Vickery Environmental (VE) is characteristic hazardous waste. The waste is disposed of at VE, authorized by Ohio Hazardous Waste Permit No. 03-72-0191, via into an Underground Injection Control (UIC) well which incorporates an EPA approved No Migration Petition.

40CFR§268.7(a)(4) states that for reporting, tracking, and recordkeeping when exceptions allow certain wastes or contaminated soil that do not meet the treatment standards to be land disposed: There are certain exemptions from the requirement that hazardous wastes or contaminated soil meet treatment standards before they can be land disposed. These include, but are not limited to case-by-case extensions under §268.5, disposal in a no-migration unit under §268.6, or a national capacity variance or case-by-case capacity variance under subpart C of this part. If a generator's waste is so exempt, then with the initial shipment of waste, the generator must send a one-time written notice to each land disposal facility receiving the waste.

- i. AFS did not have a written training program that included the job title, job description, and amount of both introductory and continuing training given to each position related to hazardous waste management. AFS did not have a written training program outlining each staff member's job title, job description, and associated training for each member that was responsible for managing hazardous waste and amount of both introductory and continuing training given to each. Also, AFS failed to provide annual training to staff on emergency and evacuation procedures, the contingency plan or hazardous waste management procedures.

40CFR 262.34(a)(4) states that except as provided in paragraphs (d), (e), and (f) of this section, a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status, provided that: The generator complies with the requirements for owners or operators in subparts C and D in 40 CFR part 265, with §265.16, and with all applicable requirements under 40 CFR part 268.

40 CFR§265.16(d) states the owner or operator must maintain the following documents and records at the facility: (1) The job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; (2) A written job description for each position listed under paragraph (d)(1) of this Section. This description may be consistent in its degree of specificity with descriptions for other similar positions in the same company location or bargaining unit, but must include the

requisite skill, education, or other qualifications, and duties of facility personnel assigned to each position; (3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed under paragraph (d)(1) of this section;...

40CFR Part 265.16 (a)(1) states that facility personnel must successfully complete a program of classroom instruction or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of this part. The owner or operator must ensure that this program includes all the elements described in the document required under paragraph (d)(3) of this section. (2) This program must be directed by a person trained in hazardous waste management procedures, and must include instruction which teaches facility personnel hazardous waste management procedures (*including contingency plan implementation*) relevant to the positions in which they are employed.

- j. The most recent revision of the contingency plan (CP) was completed in 2007. The CP did not contain an evacuation plan. The CP described procedures for responding to a chemical spill; however, the plan did not describe procedures for responding to fires or explosions. The CP listed an emergency coordinator but did not list the employees home address. No one was listed as a secondary emergency coordinator. The CP did provide arrangements made with local authorities; however, these arrangements were dated from 2007. DEQ staff contacted the Gloucester County Emergency Coordinator, the Abingdon Volunteer Fire Department, the Infectious Disease Control Nurse at Walter Reed Hospital, and VDEM Region 6 Hazardous Materials Coordinator to confirm arrangements. Each of these individuals stated that they had not received an up-dated copy of the AFS Contingency Plan.

40CFR Part 265.52 (a) states that the contingency plan must describe the actions facility personnel must take to comply with §§265.51 and 265.56 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility...(c) The plan must describe arrangements agreed to by local police departments, fire departments, hospitals, contractors, and State and local emergency response teams to coordinate emergency services, pursuant to §265.37...(d) The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as emergency coordinator (see §265.55), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates...(f) The plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. This plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternate evacuation routes (in cases where the primary routes could be blocked by releases of hazardous waste or fires).

- k. On November 26, 2013, during a review of the Resource Conservation and Recovery Act (RCRA) Info Data System, DEQ staff noted that the 2011 Biennial Report had not been submitted.

40CFR Part 262.41 (a) states that a generator who ships any hazardous waste off-site to a treatment, storage or disposal facility within the United States must prepare and submit a single copy of a Biennial Report to the Regional Administrator by March 1 of each even numbered year. The Biennial Report must be submitted on EPA Form 8700-13A, must cover generator activities during the previous year...

40CFR Part 262.40(b) states that a generator must keep a copy of each Biennial Report and Exception Report for a period of at least three years from the due date of the report.

1. An ashtray with numerous cigarette butts was located on a table in the operations room. The ashtray was situated next to a red can stated by Facility staff to contain flammable liquids and a disposable rag. Facility staff were smoking in the operations room. In addition, there were numerous electrical cords situated on the floor immersed in liquid.

40CFR Part 265.31 states facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment.

5. On March 5, 2014, based on the November 26, 2013 inspection, the Department issued Notice of Violation No. 2014-02-PRO-601 to AFS for the violations described in Section C(4)(a)-(l) above.
6. On May 22, 2014, The Department met with AFS to discuss the NOV and the observed violations.
7. An additional violation was observed during the August 20, 2014 and March 12, 2015 focused compliance inspections which was not included in March 2014 NOV. DEQ staff observed (1) 30-gallon fiberboard box containing aluminum hydroxide and sodium hydroxide solids. This waste is generated from the precipitates that build up on the sides of the etching tanks. The waste is placed inside a plastic bag which is then placed in the fiberboard box. At the time of the inspection, the cardboard box was labeled "Hazardous Waste" with an accumulation start date of January 28, 2015 and the bag was folded over and the box was open. The container holding this hazardous waste was not closed.

40CFR Part 265.173(a) states that a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

8. Based on the results of the November 26, 2013, August 20, 2014, and March 12, 2015, inspections the Board concludes that AFS has violated 40CFR Part 262.34(b), 40CFR Part 265.192(a),&(b),&(g), 40CFR Part 265.193(e)(1)(i), 40CFR Part 265.195(a)&(b), 40CFR§265.35 as referenced by §262.34(a), 40CFR§262.34(c)(1), 40CFR§262.23(a) and §262.40(a), 40CFR§268.7(a)(4), 40CFR§265.16, 40CFR Part 265.52, 40CFR Part 265.173(a), 40CFR Part 262.41, and 40CFR Part 265.31, as described in paragraph C4(a)-(l), above.
9. On July 26, 2017, the Department conducted a site visit and enforcement conference in order to determine if AFS completed a return to compliance. AFS is in compliance with all the issues

observed in Section C.4 except for C.4.d and C.4.i. In order for AFS to complete its return to compliance DEQ staff and representatives of AFS have agreed to the Schedule of Compliance, which is incorporated as Appendix A of this Order.

SECTION D: Agreement and Order

Accordingly, by virtue of the authority granted it in Va. Code § 10.1-1455, the Board orders AFS, and AFS agrees to:

1. Perform the actions described in Appendix A of this Order; and
2. Pay a civil charge of \$10,000 in settlement of the violations cited in this Order.
The civil charge shall be paid in accordance with the following schedule:

<u>Due Date</u>	<u>Amount</u>
July 1, 2018	\$2,500 or balance
October 1, 2018	\$2,500 or balance
January 1, 2019	\$2,500 or balance
April 1, 2019	\$2,500

3. If the Department fails to receive a civil charge payment pursuant to the schedule described above, the payment shall be deemed late. If any payment is late by 30 days or more, the entire remaining balance of the civil charge shall become immediately due and owing under this Order, and the Department may demand in writing full payment by AFS. Within 15 days of receipt of such letter, AFS shall pay the remaining balance of the civil charge. Any acceptance by the Department of a late payment or of any payment of less than the remaining balance shall not act as a waiver of the acceleration of the remaining balance under this Order.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control
Department of Environmental Quality
Post Office Box 1104
Richmond, Virginia 23218

AFS shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF). If the Department has to refer collection of moneys due under this Order to the Department of Law, AFS shall be liable for attorneys' fees of 30% of the amount outstanding.

SECTION E: Administrative Provisions

1. The Board may modify, rewrite, or amend this Order with the consent of AFS for good cause shown by AFS, or on its own motion pursuant to the Administrative Process Act, Va. Code § 2.2-4000 *et seq.*, after notice and opportunity to be heard.
2. This Order addresses and resolves only those violations specifically identified in Section C of this Order. This Order shall not preclude the Board or the Director from taking any action authorized by law, including but not limited to: (1) taking any action authorized by law regarding any additional, subsequent, or subsequently discovered violations; (2) seeking subsequent remediation of the facility; or (3) taking subsequent action to enforce the Order.
3. For purposes of this Order and subsequent actions with respect to this Order only, AFS admits the jurisdictional allegations, findings of fact, and conclusions of law contained herein
4. AFS consents to venue in the Circuit Court of the City of Richmond for any civil action taken to enforce the terms of this Order.
5. AFS declares it has received fair and due process under the Administrative Process Act and the Virginia Waste Management Act and it waives the right to any hearing or other administrative proceeding authorized or required by law or regulation, and to any judicial review of any issue of fact or law contained herein. Nothing herein shall be construed as a waiver of the right to any administrative proceeding for, or to judicial review of, any action taken by the Board to modify, rewrite, amend, or enforce this Order.
6. Failure by AFS to comply with any of the terms of this Order shall constitute a violation of an order of the Board. Nothing herein shall waive the initiation of appropriate enforcement actions or the issuance of additional orders as appropriate by the Board or the Director as a result of such violations. Nothing herein shall affect appropriate enforcement actions by any other federal, state, or local regulatory authority.
7. If any provision of this Order is found to be unenforceable for any reason, the remainder of the Order shall remain in full force and effect.
8. AFS shall be responsible for failure to comply with any of the terms and conditions of this Order unless compliance is made impossible by earthquake, flood, other acts of God, war, strike, or such other occurrence. AFS shall show that such circumstances were beyond its control and not due to a lack of good faith or diligence on its part. AFS shall notify the DEQ Regional Director verbally within 24 hours and in writing within three business days when circumstances are anticipated to occur, are occurring, or have occurred that may delay compliance or cause noncompliance with any requirement of the Order. Such notice shall set forth:
 - a. the reasons for the delay or noncompliance;
 - b. the projected duration of any such delay or noncompliance;
 - c. the measures taken and to be taken to prevent or minimize such delay or noncompliance; and

- d. the timetable by which such measures will be implemented and the date full compliance will be achieved.

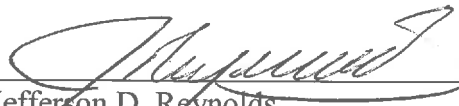
Failure to so notify the Regional Director verbally within 24 hours and in writing within three business days, of learning of any condition above, which the AFS intends to assert will result in the impossibility of compliance, shall constitute a waiver of any claim to inability to comply with a requirement of this Order.

- 9. This Order is binding on the parties hereto, their successors in interest, designees and assigns, jointly and severally.
- 10. This Order shall become effective upon execution by both the Director or his designee and AFS.
- 11. This Order shall continue in effect until:
 - a. The Director or his designee terminates the Order after AFS has completed all of the requirements of the Order;
 - b. AFS petitions the Director or his designee to terminate the Order after it has completed all of the requirements of the Order and the Director or his designee approves the termination of the Order; or
 - c. the Director or Board terminates the Order in his or its sole discretion upon 30 days' written notice to AFS.

Termination of this Order, or any obligation imposed in this Order, shall not operate to relieve AFS from its obligation to comply with any statute, regulation, permit condition, other order, certificate, certification, standard, or requirement otherwise applicable.

- 12. Any plans, reports, schedules or specifications attached hereto or submitted by AFS and approved by the Department pursuant to this Order are incorporated into this Order. Any non-compliance with such approved documents shall be considered a violation of this Order.
- 13. The undersigned representative of AFS certifies that he or she is a responsible official authorized to enter into the terms and conditions of this Order and to execute and legally bind AFS to this document. Any documents to be submitted pursuant to this Order shall also be submitted by a responsible official of AFS.
- 14. This Order constitutes the entire agreement and understanding of the parties concerning settlement of the violations identified in Section C of this Order, and there are no representations, warranties, covenants, terms or conditions agreed upon between the parties other than those expressed in this Order.
- 15. By its signature below, AFS voluntarily agrees to the issuance of this Order.

And it is so ORDERED this 15 day of May, 2018.



Jefferson D. Reynolds
Enforcement Division Director
Department of Environmental Quality

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Advanced Finishing Systems, Inc. voluntarily agrees to the issuance of this Order.

Date: 3/29/18 By: Michael B. Ware President
(Person) (Title)
Advanced Finishing Systems, Inc.

Commonwealth of Virginia

City/County of York

The foregoing document was signed and acknowledged before me this 29th day of March,
2018, by Michael B. Ware who is President of

Advanced Finishing Systems, Inc., on behalf of the corporation.

Hayley Storme Wesson
Notary Public
77240-40
Registration No.

My commission expires: 4-30-21

Notary seal:



APPENDIX A SCHEDULE OF COMPLIANCE

1. Daily Inspections

AFS shall immediately begin daily inspections, or within 30 days of the issuance of this Order install cameras to conduct Facility inspections on Saturdays, Sundays, holidays and occasions when the Facility closes down. Within 120 days of the issuance of this Order, AFS must submit to the Department, three months of inspection records.

2. Training

Within 90 days of the issuance of this Order, AFS shall hire a third party contractor to develop a formal written training plan for Department review and approval. AFS must respond to any DEQ comments within 14 days of receiving them. Once approved by the Department, AFS shall hire an independent trainer with expertise in hazardous waste management to train AFS staff. Within 30 days of the Department's plan approval, AFS must submit to the Department documentation that all AFS staff successfully completed training in accordance with 40 CFR §265.16.

3. Chemistry Lab

Within 180 days of the issuance of this Order, AFS shall properly dispose of the inventory of chemicals stored in the chemistry lab in accordance with the regulations. Within 210 days of the issuance of this Order, AFS shall submit to the Department documentation of the proper disposal of chemistry lab chemicals.

Unless otherwise specified in this Order, AFS shall submit all requirements of Appendix A of this Order to: Frank Lupini - Enforcement Specialist
VA DEQ
P.O. Box 1105,
Richmond, Virginia 23218
Frank.Lupini@deq.virginia.gov